



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

## EVENING SESSION

*Friday, April 19, 1907*

The meeting was called to order at 8 p. m., Hon. John W. Foster in the chair.

The CHAIRMAN. I have been requested to announce that the Executive Council have appointed the following Nominating Committee: Hon. Robert Bacon, Prof. W. W. Willoughby, Charles B. Warren, esq., Prof. Theodore S. Woolsey, and William A. Prendergast.

That committee will meet in the library at the close of this session.

I am also requested to call attention to the banquet to be given tomorrow evening, and the Secretary has given me indications of a very attractive menu. I do not refer to the dishes. It is not necessary to speak of that in this hotel. I refer to the speakers. Secretary Root will preside at the banquet. Hon. Joseph H. Choate will speak, as will Ambassador Bryce, General Porter, and Mr. ex-Secretary Olney, I suppose together with such others as the spirit moves. Tickets for that banquet may be obtained at the Secretary's office in the library of the hotel.

Also, I wish to say that there are application blanks to be obtained at the same place, and the clerk there will assist in making them out for such members as have the names of persons whom they wish to propose for membership.

We are gratified to announce that the membership of the Society is constantly growing. Almost every mail — I think I would not be incorrect in saying every mail — has been bringing the applications of new members for weeks past. We hope that the meetings of the Society we are now holding will be an additional incentive to the increase of membership.

The subject for consideration and discussion to-night is, "The rights of foreigners in the United States in case of conflict between

Federal treaties and State laws," a subject which was discussed to some extent in the opening address of our President this morning.

The first paper will be by Prof. Charles Noble Gregory, dean of the College of Law, Iowa State University.

ADDRESS OF PROF. CHARLES NOBLE GREGORY,  
OF THE IOWA STATE UNIVERSITY, IOWA CITY, IOWA.

Mr. Chairman and Gentlemen of the Society: The rights of foreigners in case of conflict between Federal treaties with their several countries and laws enacted by the States have been recently much considered.

Such questions are undoubtedly to be solved by constitutional law under our frame of government, but they so directly affect our international obligations and relations that they are habitually treated as proper topics to be discussed in our best works on international law.

Thus, Wheaton, our first great writer on this branch, treats extensively of treaties and the power to make and enforce them, not omitting our constitutional provisions.<sup>1</sup> The present accomplished Solicitor for the State Department, Dr. Scott, in his "Cases on International Law," includes many on the constitutional force and effect of treaties as the law of the land.<sup>2</sup> And Dr. Wharton, in his International Law Digest, devotes nine and one-half pages to the authority of treaties in the United States.<sup>3</sup>

The Digest of International Law published by the United States Government in 1906, edited with great judgment and learning by the Hon. John Bassett Moore, gives to the subject of treaties two hundred and thirty-two pages,<sup>4</sup> besides still greater space given to conventional and diplomatic relations, and discusses at length the enforcement of treaties and "judicial action" therefor<sup>5</sup> and the

<sup>1</sup> Wheaton's Inter. Law, § 538 *et seq.*, 4th ed., 1904. Same, edited with notes by R. H. Dana (1866), p. 714.

<sup>2</sup> Scott's Cases on Inter. Law, p. 412 *et seq.*

<sup>3</sup> 2d ed., § 138.

<sup>4</sup> Vol. V, p. 158 *et seq.*

<sup>5</sup> Same, p. 233.